

# Exhibit 1

Honorable Troy L. Nunley  
United States District Judge  
United States District Court for the Eastern District of California

Interim Report of Federal Receiver  
Kenneth R. Jones

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

United States of America,  
Plaintiff,  
v.  
CB SURETY, LLC, et al.,  
Defendants.

Civil Case No. 2:23-cv-02812-TLN-DB

Interim Report of Federal Receiver  
September 3, 2024

On December 7, 2024, a temporary restraining order (“TRO” or “order”) was unsealed and appointed me as temporary receiver over the “CB Surety LLC, Peak Bakery LLC, Cascades Pointe at Clemson, LLC, KP Testing, LLC, Motion Media Marketing Inc., SJC Financial Services Inc., Reseller Consultants, Inc., Ambragold, Inc., Think Processing LLC, and Bass Business Consultants.” *See* ECF No. 7. On January 5, 2024, the Court issued an Order and Preliminary Injunction extending the receivership in this matter. *See* ECF Nos. 34–35. On August 6, 2024, the Court expanded the Receivership to include Run It Up, Inc. and Won It All, Inc. as additional Receivership Entities. *See* ECF No. 82.

This interim report focuses on the continuing effort to finalize fact finding for each of the Receivership Entities, which will likely result in an opinion regarding the level of legitimate activity for each of the Receivership Entities, as well as additional confirmation of activity consistent with the allegations contained in the Complaint.

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**I. Recently added Receivership Entities:**

On May 16, 2024, the United States filed a motion to add Won It All, Inc. and Run It Up, Inc. as Receivership Entities. *See* ECF No. 76. On August 8, 2024, the Court granted that motion, adding Won it All, Inc. and Run it Up, Inc. as Receivership Entities in this matter. *See* ECF No. 82. The Court's Order expanded the Receivership to include these additional entities subject to the terms of the previously issued Preliminary Injunction. *See* ECF No. 35.

Won it All, Inc. is incorporated in two different states, Florida and Nevada. Below is a summary of the registered agents and officers and relevant changes.

Won it All, Inc. (Florida):

Incorporation: On January 7, 2013, Won it All, Inc. was incorporated by Annette Goldstein of 26317 W. Plata Ln. Calabasas, CA 91302. The Registered Agent was Jerry O. Bohn of Wellington, FL. Annette Goldstein was also listed as the President and Secretary.

In 2018, Aric Gastwirth was listed as the president and Secretary and Annette Goldstein was listed as a director. Jerry Bohn continued in the capacity of registered agent.

During 2019 and 2020, the same officer status continued with Aric Gastwirth listed as the president and Secretary and Annette Goldstein was listed as a director. Jerry Bohn continued in the capacity of registered agent.

In 2021, Annette *Gastwirth* was listed as the president and secretary and Annette *Goldstein* was listed as a director. Jerry Bohn continued in the capacity of registered agent.

In 2022, Annette Gastwirth was listed was listed as president, secretary and as a director. Jerry Bohn continued in the capacity of registered agent.

In 2023, Aric Gastwirth was listed as president and secretary and Annette Gastwirth was listed as a director. Jerry Bohn continued in the capacity of registered agent.

The Receiver has reason to believe that Annette Goldstein and Annette Gastwirth are one in the same person.

From 2013 through 2023, addresses for Jerry Bohn, Aric Gastwirth and Annette Goldstien/Gastwirth changed from addresses in Wellington, FL, Danforth, FL, and West Palm Beach, FL, to an address on Lavender Hill, Las Vegas, NV, and then to the 501 S. Rancho Dr. Las Vegas, NV address associated with other Receivership Entities.

Won it All, Inc. (Nevada):

Incorporation: On September 6, 2018, Won it All, Inc. was incorporated in Nevada. Annette Gastwirth was listed as president, secretary and as a director. The address listed was 7477 W Lake Mead Blvd Suite 220, Las Vegas, NV 89128.

The registered agent was listed as Incorp Services Inc. (Registered Agent), Karla Vazquez, President, showing an address of 3773 Howard Hughes Pkwy Suite 500S, Las Vegas, NV 89169.

Run it Up, Inc. (Florida):

Incorporation: On January 7, 2013, Run it Up, Inc. was incorporated by Annette Goldstein of 26317 W. Plata Ln. Calabasas, CA 91302. The Registered Agent was Jerry O. Bohn of Wellington, FL. Annette Goldstein was also listed as the President and Secretary. Note this is the same date, officers and addresses of the Florida incorporation of Won it All, Inc.

In 2014, Tyler M. Gastwirth was listed as the President and Secretary. Jerry Bohn continued in the capacity of registered agent.

From 2015 through 2018, Annette Goldstein was listed as the president and secretary. Jerry Bohn continued in the capacity of registered agent.

In 2019 and 2020, Aric Gastwirth was listed as the president and secretary and Annette Gastwirth was listed as the treasurer. Jerry Bohn continued in the capacity of registered agent.

In 2021, Annette Gastwirth was listed as the president, secretary and treasurer. Jerry Bohn continued in the capacity of registered agent.

In 2022, Aric Gastwirth was listed as the president and Annette Gastwirth was listed as the secretary and treasurer. Jerry Bohn continued in the capacity of registered agent.

In 2023, Aric Gastwirth was listed as the president, secretary and treasurer. Jerry Bohn continued in the capacity of registered agent.

Summary of incorporation and ownership of new Receivership Entities:

The above three legal entities were all incorporated by Annette Goldstein or now Annette Gastwirth. The new Receivership Entities were owned and managed by Aric Gastwirth, Annette (Goldstein) Gastwirth and/or Tyler M. Gastwirth. At all times, Jerry Bohn was the registered agent for all three Receivership Entities.

Assets of new Receivership Entities:

The United States Department of Justice ("DOJ") has seized certain assets of Won it All, Inc. and Run it Up, Inc. via asset forfeiture procedures. *See United States v. Approximately \$73,212.71 Seized From Preferred Bank Acct. No., et al.*, E.D. Cal. Case No. 2:24-MC-00204-DAD-AC. The Receiver is investigating whether these entities may have additional assets that could be available for restitution, forfeiture, or other legal remedies.

**II. Tax Update:**

To date, no records have been received from the Internal Revenue Service, but we believe those to be forthcoming.

To date, we have not received any records from the tax accountants associated with the Receivership Entities, with the noted exception of Reseller Consultants.

The Receiver will again contact the tax accountants and if no response follows may seek the appropriate actions from the Court to compel a response.

### **III. Corporate Records and Technology Update:**

#### Corporate records of the new Receivership Entities:

The Receiver has begun to obtain tax and other corporate records for both Won it All, Inc entities and for Run it Up, Inc.

#### Additional corporate records:

To date, the Receivership has captured and analyzed a significant number of corporate records and data for the new Receivership Entities. Following the Court's Order expanding the Receivership, the Receiver requested additional data that was seized from the Defendants and/or Receivership Entities. DOJ recently provided responses to those requests. Together with the Receiver's data collection, this information will help the Receiver form a complete understanding of the facts and support the Receiver's duty to ensure any Assets subject to the Preliminary Injunction are available for restitution, forfeiture, or other legal remedies. The Receiver is now in the process of reviewing and analyzing those additional materials, which also relate to the entities that the Court has recently included in the Receivership Entities – Won It All and Run It Up. Once this work has been completed, the Receivership does not anticipate receiving any additional large amounts of data needing analysis, with the possible exception of any additional bank records.

Additionally, prior to the order establishing the Receivership, the U.S. Postal Inspection Service seized from the Defendants and/or Receivership Entities (a) devices (e.g., cell phones and computers), (b) data from hosted accounts (e.g., Amazon Web Services), and (c) hardcopy documents. The Receiver has submitted requests to DOJ related to seizures of Receivership Entity property. Some responses to these requests have already been provided. The data volumes involved are substantial.

### **IV. Expenses and Invoices:**

#### Receivership Expenses Summary through April 30, 2024

The total amount of funds spent through April 30, 2024, was \$287,516.00. Additionally, during this period, the Receivership incurred \$2,914.22 in out-of-pocket expenses.

#### Fact Gathering

A large portion of the funds spent this month were spent on preparing the Receiver's May status report. Examples of tasks included within this category include (1) review of corporate documents; (2) compiling relevant documentation; (3) creating summaries for each receivership entity; (4) review of available public information regarding the receivership entities; and (5) creation of receivership status report.

#### Preparation of Taxes

Hourly fees have been incurred relating to the preparation and filing of extensions of federal and state tax returns for the various receivership entities. The status of the various tax returns can be seen in the "Tax Update" section of this report.

#### Evidence tracking and Preserving data

The Receiver incurred additional expenses related to the collection and preservation of documents found at various office and server locations. Examples of tasks included within this category are (1) forensic

imaging of laptops; (2) scanning of hardcopy documents from Las Vegas and Dallas locations; (3) coordination and capture of server information; and (4) tracking and logging of various items found on site and through the collection of UPS and mail packages containing documents and bank RSA tokens. Issues obtaining passwords and multi-factor authentication credentials has required additional funds be spent to secure information off various electronic devices.

Securing office locations

Hourly fees were incurred to coordinate with property management, secure locations, rent/utility fees, and to shut down any office space that is no longer needed. These efforts have been ongoing since the Receiver's prior report.

Project Management

The final category of funds spent through April 30, 2024, is related to general project management. This includes internal meetings to coordinate priorities, discussions with counsel, and drafting of requests. A detailed invoice for time spent by the Receiver along with those I have deemed necessary is available at the request of the Court.

Detailed invoices for time spent by the Receivership team are available at the request of the Court.

Summary of Expenses for Receivership Counsel – April 2024

Through April 30, 2024, the Receiver incurred \$27,463.80 in expenses for professional services from counsel at DLA Piper LLP (US). The expenses for professional services from counsel at DLA Piper LLP (US) for the month of May 2024 were \$20,190.52 and for June they were \$18,697.00.

These fees included analysis of the Court's order expanding the Receivership to cover additional entities, conferring with counsel for Defendants, conferring with DOJ, and advising on requests for information to support the Receiver's duties under the Preliminary Injunction. A detailed invoice for time spent by Counsel is available at the request of the Court.

Respectfully submitted,



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